

**COUNCIL BLUFFS, IOWA**

**CITY PLANNING COMMISSION**

**ANNUAL REPORT**

**2006**

Prepared By

**THE COMMUNITY DEVELOPMENT DEPARTMENT**

April 10, 2007

The Honorable Thomas P. Hanafan, Mayor  
and Members of the City Council  
City Hall  
209 Pearl Street  
Council Bluffs, IA 51503

Mayor and Members of the City Council:

The City Planning Commission forwards this copy of the 2006 Annual Report for your information. This report contains a summary of the actions taken by the Commission in handling various cases referred to them during the year.

I would like to take this opportunity to thank the City Council, City Planning Commission and the Community Development Department staff for their effort and support during the past year. I hope that together we can continue to serve the City of Council Bluffs in a program of progressive community development.

Respectfully submitted,

Steve Johns, Chair  
City Planning Commission  
City of Council Bluffs, Iowa

## **MAYOR**

Thomas P. Hanafan

## **CITY COUNCIL**

Darrin Bates  
Scott Belt  
Lynne Branigan  
Matt Schultz  
Matt Walsh, Jr.

## **CITY PLANNING COMMISSION**

Stephen Johns, Chair  
Mary Ann Bragg, Vice Chair  
Barry Cleaveland\*  
Roger Carlon  
Sheila Graham\*  
Matt Gronstal\*  
Scott Hartman\*  
Ken Milford  
Dan Ozaydin  
Douglas Rew\*  
Donna Schoeppner  
Dan VanHouten  
Sharon White  
Dave Williamson\*

## **COMMUNITY DEVELOPMENT DEPARTMENT**

### **Planning Division**

Donald Gross, Director  
Gayle Malmquist, Development Services Coordinator  
Rose Brown, Urban Planner  
Rebecca Sall, Planning Technician  
Cindy Clark, Administrative Secretary  
Jeanne Mudge, Clerk Typist

\*Indicates a partial year of service

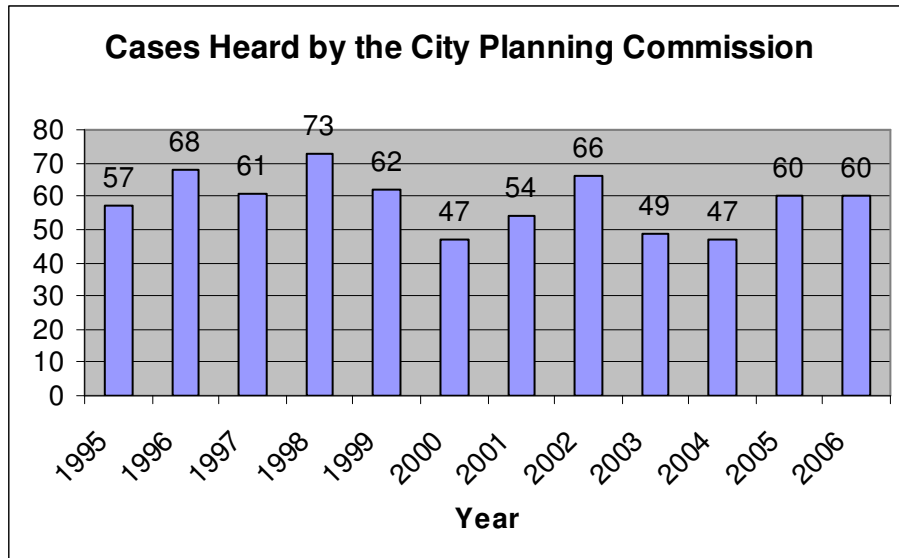
**CITY PLANNING COMMISSION**  
**MEMBERS, TERMS AND ATTENDANCE**

**2006**

		<b>NUMBER OF MEETINGS</b>	
<b>MEMBERS</b>	<b>TERM</b>	<b>PRESENT</b>	<b>ABSENT</b>
Mary Ann Bragg	May, 2001 - April, 2010	12	0
Roger Carlon	January, 1997 - April, 2007	9	3
Barry Cleaveland*	August, 1998 – resigned April 2006	4	0
Sheila Graham*	December, 2006- April 2010	1	0
Matt Gronstal*	March, 2003 – March, 2006	3	0
Scott Hartman*	January, 1996 - April, 2006	2	1
Stephen Johns	March, 2003 – April, 2008	10	2
Ken Milford	November, 2000 – April, 2008	12	0
Dan Ozaydin	September, 2004 – April, 2007	11	1
Douglas Rew*	July, 2006 – April 2011	5	1
Donna Schoeppner	July, 2000 – April, 2010	11	1
Dan VanHouten	April, 2000 – April, 2010	9	3
Sharon White	February, 2004 – April, 2007	12	0
Dave Williamson*	August, 2006-April, 2008	4	0

## SUMMARY OF ACTIVITIES

The Commission heard 60 requests in 2006. The chart below represents cases reviewed by the Planning Commission since 1995.



Source: Community Development Department

**Subdivisions:** The Commission reviewed eight preliminary plans in 2006, recommending approval with conditions of New Horizon; Bluffs Vision Commercial Subdivision; River Valley; Turtle Creek, South Pointe, Replat 1; Metro Crossing, The Marketplace and Heritage Hills Subdivision. This year, 7 residential lots were created through approval of final plats that were reviewed by the Planning Commission.

**Planned Commercial District-Planned Residential District-Development Plan Review:** The Commission reviewed two amendments to existing Planned Commercial development plans and five new development plans for River Valley, Metro Crossing, Joe's Carpet, The Marketplace and Quaker Steak & Lube. Amendments were approved to the commercial development plans for Country Inn & Suites and Metro Crossing. The Commission and City Council approved residential development plans for River Park Apartments and Prime Square Apartments. The Planning Commission recommended approval of the request for Colonial Village Apartments. The City Council denied that request.

**Text Amendments:** The Commission reviewed two requests for text amendments. The first was to amend Chapter Section 15.33.100(4) Siting Limitations for Off-premises Signs. The second was to repeal Chapter 15.33 'Signs' and adopt a new Chapter 15.33 'Signs'. The City Planning Commission and City Council were in agreement on both requests, approving the first and adopting the new sign code in Chapter 15.33 in February 2007.

**Rezoning:** The Commission reviewed 17 rezoning cases. Four cases contained requests for multiple zoning map amendments. The Commission concurred with staff's recommendation on all cases. The City Council concurred with the Commission's recommendation on seventeen cases. In one case, staff recommended denial. The Planning Commission recommended approval and the City Council concurred.

**Street, Alley and Public Right-of-way Vacations:** The Commission heard thirteen requests to vacate public rights-of-way. The Commission and Council concurred with staff's recommendation in all cases.

**Miscellaneous**

Public hearings were held on the following 8 cases:

- Voluntary annexation of 4 acres at Greenview Road;
- Voluntary annexation of 181 acres along with 44 acres, with owners in opposition, west of Franklin Avenue at Greenview Road;
- Amendments One and Two of the North 16<sup>th</sup> Street and Avenue 'G' Urban Renewal Area;
- Create the Old Airport Urban Renewal Area;
- Amendment of the Mid-America Center Urban Renewal Area;
- Administrative appeal of a denied parcel split application on Birdsley Road;
- Approval of the Capital Improvement Plan for FY 2007-08 through 2011-12.

## SUBDIVISIONS - 2006

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**CASE #SUB-06-004:** Public hearing on the request of New Horizon Presbyterian Church for preliminary plan approval of a seven lot subdivision to be known as New Horizon, located on 94.7 acres in part of the W½ of Section 28, part of Lots 1, 2, 3 and 6 of Auditor's Subdivision of the SE¼ SE¼, part of the SE¼ NE¼, part of the NE¼ SE¼ all in Section 29 and part of the NE¼ NE¼ of Section 32, all in Township 75 North, Range 43 West of the fifth principal meridian. Location: Between McPherson Avenue and College Road, between Interstate 80 right-of-way and Mosquito Creek.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, February 27, 2006 Resolution #06-66

**CASE #SUB-06-005:** Public hearing on the request of ECM, Inc. for preliminary approval for a seven lot commercial subdivision, a replat of Lot 1, Bluffs Vision Subdivision. Location: South of 23<sup>rd</sup> Avenue and west of Mid-America Drive (South 33<sup>rd</sup> Street).

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, February 27, 2006 Resolution #06-67

**CASE #SUB-06-010:** Public hearing on the request of Property Investments, Inc. for preliminary plan review for a four lot commercial subdivision to be known as River Valley on 7.25 acres in Block 38 and Lots 1 through 15, Block 39, the vacated alleys therein and vacated 15<sup>th</sup> Avenue right-of-way adjoining both blocks, Brown's Subdivision. Location: West of South 35<sup>th</sup> Street and south of 14<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, April 24, 2006 Resolution #06-121

**CASE #SUB-06-016:** Public hearing on the request of LC Development LC for preliminary plan approval for a replat of Lot 4, New Horizon Subdivision creating a 107 lot single family residential subdivision on 32 acres. Location: East of Valley View Drive, south of College Road.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, June 24, 2006 Resolution #06-203

**CASE #SUB-06-017:** Public hearing on the request of John J. Loftus, Jr. and Diane K. Loftus for final plat approval of a three lot single family residential subdivision to be known as Loftus Subdivision. The parcel is located on 4.022 acres in a portion of Lot 11, Auditor's Subdivision of the SE¼ NW¼ of Section 5-74-43. Location: West of Ridge View Estates Subdivision, between Longview Loop and Greenview

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, October 9, 2006 Resolution #06-266

**CASE #SUB-06-018:** Public hearing on the request of the Council Bluffs Industrial Foundation for preliminary plan approval for South Pointe Subdivision Replat I, a replat of Lots 7 and 8, South Pointe Subdivision to create 5 industrial lots. Location: Along the east side of South 19<sup>th</sup> Street, south of Highway 275.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, August 28, 2006 Resolution #06-222

**CASE #SUB-06-019:** Public hearing on the request of Metro Crossing LLC/KD Metro Crossing for preliminary plan for a subdivision to be known as Metro Crossing, on approximately 85 acres located in the SW¼ of Section 7-74-43. The subdivision would create 19 commercial lots and three outlots. Location: West of Interstate 29, between Highway 275 and Lake Manawa Centre Subdivision.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, August 28, 2006 Resolution #06-228

**CASE #SUB-06-023:** Public hearing on the request of Habitat for Humanity of Council Bluffs for final plat approval of a 4 lot residential subdivision to be known as Ron Pierce's Subdivision, being a replat of Lots 76 through 83, Lakoma Annex. Location: Between Navajo and East Navajo Streets, north of Huron Circle.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, September 25, 2006 Resolution #06-236

**CASE #SUB-06-025:** Public hearing on the request of Magnum Development Corporation for preliminary plan approval for a 10 lot subdivision to be known as The Marketplace – Council Bluffs located on approximately 49 acres in that part of the west 78 acres of the NW¼ quarter of Section 11-74-44 lying south of Interstate 80 right-of-way, east of South 24<sup>th</sup> Street right-of-way and north of 34<sup>th</sup> Avenue right-of-way. Location: East side of South 24<sup>th</sup> Street, between Interstate 80 and 34<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, January 8, 2007 Resolution #07-26

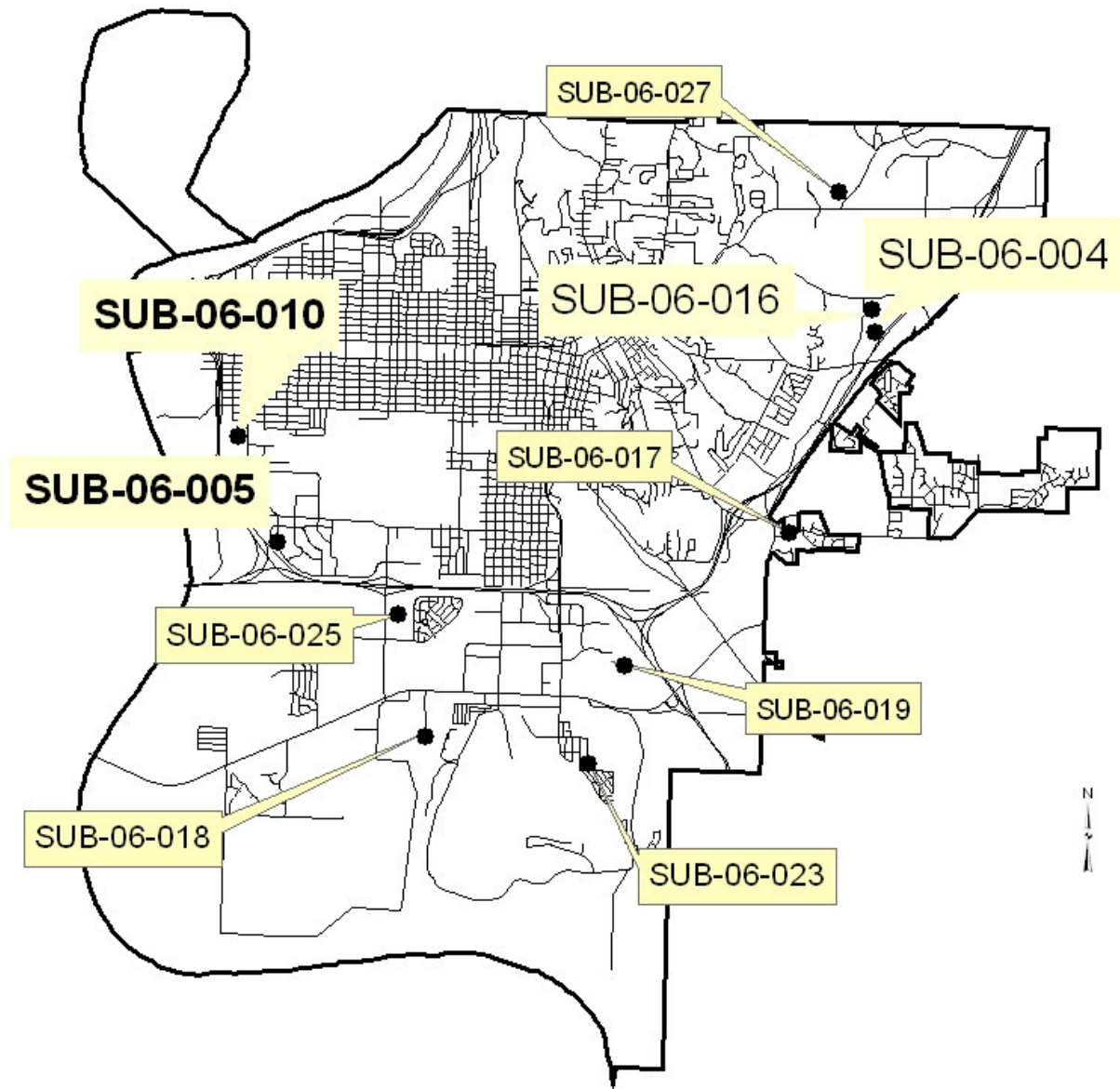
**CASE #SUB-06-027:** Public hearing on the request of RCW Enterprises, Inc. for preliminary plan approval for a 57 lot residential subdivision to be known as Heritage Hills, located on 16.77 acres in a



portion of Lot 1, Auditor's Subdivision of the NW¼ SE¼ and a portion of Lot 2, Auditor's Subdivision along with Railroad Highway right-of-way in the NE¼ SE¼, all in Section 20-75-43. Location: North side of Kanesville Boulevard (Highway 6), west of Railroad Highway (fka Highway 191).

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved with conditions, November 27, 2006 Resolution #06-331

## Subdivision Review



**PLANNED COMMERCIAL DISTRICT/PLANNED RESIDENTIAL DISTRICT-  
DEVELOPMENT PLAN REVIEW – 2006**

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**CASE #PC-06-001:** Public hearing on the request of Country Inn & Suites for an amendment to the development plan for Hotel Plaza at the MAC Subdivision relative to signage. Location: 17 Arena Way.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved March 27, 2004, Resolution #06-93

**CASE #PC-06-002:** Public hearing on the request of Property Investments, Inc. for commercial development plan review for a subdivision review for a four lot commercial subdivision to be known as River Valley on 7.25 acres in Block 38 and Lots 1 through 15, Block 39, the vacated alleys therein and vacated 15<sup>th</sup> Avenue right-of-way adjoining both blocks, Brown's Subdivision. Location: West of South 35<sup>th</sup> Street and south of 14<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved April 24, 2006, Resolution #06-122

**CASE #PC-06-003:** Public hearing on the request of Metro Crossing LLC/KD Metro Crossing for commercial development plan review for a subdivision to be known as Metro Crossing, on approximately 85 acres located in the SW¼ of Section 7-74-43. The subdivision would create 19 commercial lots and three outlots. Location: West of Interstate 29, between Highway 275 and Lake Manawa Centre Subdivision.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved August 28, 2006, Resolution #06-229

**CASE #PC-06-004:** Public hearing of the request of Mark Weber to adopt the planned commercial development plan for part of Lot 5, Mid-American Commerce Park, for Joe's Carpet. Location: Southwest corner of South 32<sup>nd</sup> Street and 21<sup>st</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved September 25, 2006, Resolution #06-263

**CASE #PC-06-005:** Public hearing on the request of Magnum Development Corporation for planned commercial development plan review of a 10 lot subdivision to be known as The Marketplace – Council Bluffs located on approximately 49 acres in that part of the west 78 acres of the NW¼ quarter of Section 11-74-44 lying south of Interstate 80 right-of-way, east of South 24<sup>th</sup> Street right-of-way and north of 34<sup>th</sup> Avenue right-of-way. Location: East side of South 24<sup>th</sup> Street, between Interstate 80 and 34<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved January 8, 2007, Resolution #07-27

**CASE #PC-06-006:** Public hearing on the request of ECM, Inc. for commercial development plan review for Lot 1, Bluffs Vision Commercial Subdivision. Location: Southwest corner of 23<sup>rd</sup> Avenue and Mid America Drive.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved November 27, 2006, Resolution #06-326

**CASE #PC-06-007:** Public hearing on the request of Kimco Metro Crossing LP to amend the approved planned commercial development plan for Metro Crossing Subdivision relative to signage. Location: Between Highway 275 and Lake Manawa Centre Subdivision, west of Interstate 29.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved September 26, 2005, Resolution #05-269

### **Planned Residential Development Plans**

**CASE #PR-06-001:** Public hearing on the request of Broadmoor Development Company to approve the planned residential development plan for a 184 unit complex to be known as River Park Apartments located on Lots 1 and 2, Dodge Park Subdivision. Location: South of Interstate right-of-way, adjacent to Dodge Riverside Golf Course.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved February 27, 2006, Resolution #06-69

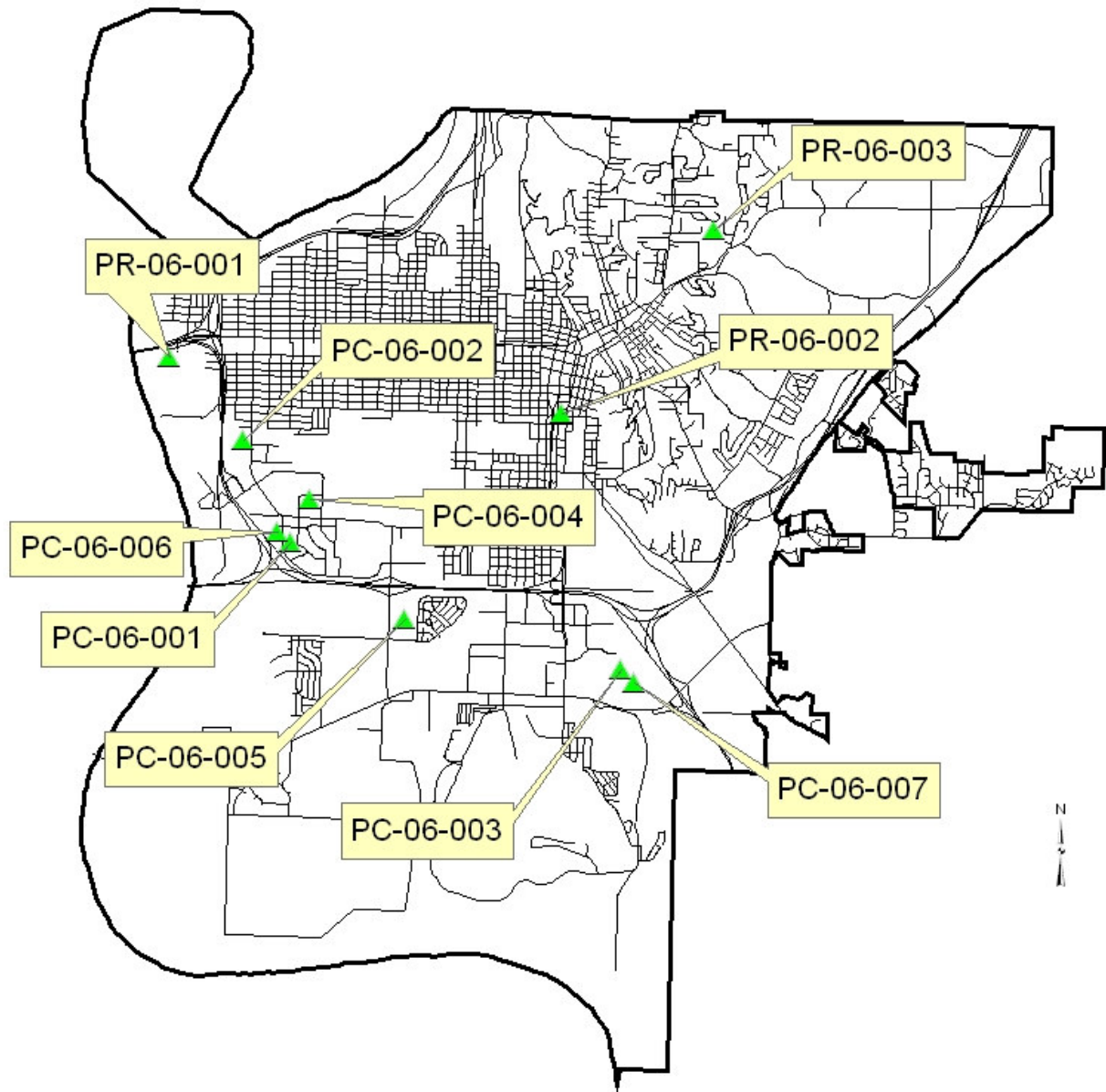
**CASE #PR-06-002:** Public hearing on the request of Prime Development LLC for planned residential site plan review for Prime Square Apartments located in Block 14, Hyatt's Subdivision and Block 2, Riddle's Subdivision. Location: Between South Main and South 6<sup>th</sup> Street from 8<sup>th</sup> to 9<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Approved September 25, 2006, Resolution #06-262

**CASE #PR-06-003:** Public hearing on the request of Colonial Hills, Inc. to adopt the planned residential development plan for Colonial Village Apartments. Location: West of Simms Avenue at Dillman Drive.

Recommendation:	Staff:	Approval with conditions
	CPC:	Approval with conditions
Action:	City Council:	Denied January 8, 2007

## Development Plan Review



## TEXT AMENDMENTS - 2006

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### AMENDMENTS TO ZONING ORDINANCE

**CASE #ZT-06-001:** Public hearing on the request of the Community Development Department to amend Title 15 of the Municipal Code (Zoning Ordinance) to amend Section 15.33.100(4) Siting Limitations for Off-premises Signs (Billboards) to add the Avenue 'G' and the West Broadway Viaduct Corridors.

Recommendation:                      Staff: Approval  
   CPC: Approval  
Action:                                      City Council: Approved September 11, 2006, Ord. No. 5897

**CASE #ZT-06-002:** Public hearing on the request of the Community Development Department to repeal Chapter 15.33 'Signs' in the Municipal Code (Zoning Ordinance) and adopt a new Chapter 15.33 'Signs'.

Recommendation:                      Staff: Approval  
   CPC: Approval, with recommended modifications  
Action:                                      City Council: Approved February 26, 2007, Ord. No. 5920

### AMENDMENTS TO SUBDIVISION ORDINANCE – None

## REZONINGS - 2006

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**CASE #ZC-06-001:** Public hearing on the request of LC, LLC to rezone Lot 25, Chicory Ridge Subdivision from R-1/Single Family Residential to AP/Administrative Professional District. Location: Northeast corner of McPherson Avenue and Shevi Drive.

Recommendation:	Staff:	Deny
	CPC:	Approval
Action:	City Council:	Approved, February 27, 2006, Ordinance No. 5879

**CASE #ZC-06-002:** Public hearing on the request of New Horizon Presbyterian Church for rezoning of a seven lot subdivision to be known as New Horizon, located on 94.7 acres in part of the W½ of Section 28, part of Lots 1, 2, 3 and 6 of Auditor's Subdivision of the SE¼ SE¼, part of the SE¼ NE¼, part of the NE¼ SE¼ all in Section 29 and part of the NE¼ NE¼ of Section 32, all in Township 75 North, Range 43 West of the fifth principal meridian. Currently zoned A-2/Parks, Estates and Agricultural, the applicant has requested rezoning Lot 1 to C-2/Commercial, Lots 2 and 3 to R-3/Low Density Multi-family Residential and appending a Planned Residential Overlay to Lot 3 for a future senior adult living community and Lot 4 to R-1/Single Family Residential District. Location: Between McPherson Avenue and College Road, between Interstate 80 right-of-way and Mosquito Creek.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, May 22, 2006, Ordinance No. 5887

**CASE #ZC-06-003:** Public hearing on the request of Bethany Lutheran Home to rezone the east 114' of Lots 10 and 11, Auditor's Subdivision of the NW¼ SW¼ of Section 19-75-43 from R-1/Single Family Residential to R-3/Low Density Multi-family Residential. Location: 231 Elliott Street.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, April 24, 2006, Ordinance No. 5883

**CASE #ZC-06-004:** Public hearing on the request of the Community Development Department to rezone the following:

From C-3 to C-4:

Parcel 1: Lots 6 through 13, Block 3, Bayliss 1<sup>st</sup> Addition along with Lots A through G, Auditor's Subdivision of Lots 14, 15 and 16, Block 3, Bayliss 1<sup>st</sup> Addition and Out Lot 1, Mynster's Addition all lying northwest of Kanesville Boulevard.

Parcel 2: Lots 1 through 10, Block 3, and Lot 10, Block 4, Mynster's Addition and Lot A, Auditor's Subdivision of Block 6, Mynster's Addition and Block 2, Bayliss 1<sup>st</sup> Addition along with vacated Mynster and Scott Streets adjacent all lying north of Kanesville Boulevard.

Location: North of Kanesville Boulevard from Oakland Avenue to North 7<sup>th</sup> Street.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, May 8, 2006, Ordinance No. 5885

**CASE #ZC-06-005:** Public hearing on the request of Joel and Beverly Allen to rezone 3521 4<sup>th</sup> Avenue (Lots 10 and 11, Block 27, Ferry Addition) from C-1 Commercial to R-2/Two Family Residential. The Community Development Department expanded the request to also rezone from C-1 Commercial to R-2/Two Family Residential, Lots 8, 9, 12 and 13, Block 27, Ferry Addition and Lots 3 through 8, Block 27, Brown's Subdivision. Location: Between 4<sup>th</sup> Avenue and 5<sup>th</sup> Avenue, west of South 35<sup>th</sup> Street.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, May 8, 2006, Ordinance No. 5884

**CASE #ZC-06-007:** Public hearing on the request of Patrick D. McIntyre to rezone Lot 4 and the north ½ of Lot 5, Country Club Acres from I-2/General Manufacturing to C-2 Commercial. Location: West side of the South Expressway between Richland Drive and West South Omaha Bridge Road.

Recommendation: Staff: Approval, with conditions  
CPC: Approval, with conditions  
Action: City Council: Approved, July 24, 2006, Ordinance No. 5891

**CASE #ZC-06-008:** Public hearing on the request of the Community Development Department to rezone that part of Lots 1 through 8, Block 3, Bayliss 1<sup>st</sup> Addition lying south of Kanesville Boulevard from C-4 Commercial to A-2/Parks, Estates and Agricultural District. Location: Between Kanesville Boulevard and West Broadway from North 6<sup>th</sup> Street to North 7<sup>th</sup> Street.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, July 10, 2006, Ordinance No. 5890

**CASE #ZC-06-009:** Public hearing on the request of John J. Loftus, Jr. and Diane K. Loftus to rezone from R-3/Urban Residential (County) to R-1/Single Family Residential (City), a subdivision to be known as Loftus Subdivision. The parcel is located on 4.022 acres in a portion of Lot 11, Auditor's Subdivision of the SE¼ NW¼ of Section 5-74-43. Location: West of Ridge View Estates Subdivision, between Longview Loop and Greenview.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, October 23, 2006, Ordinance No. 5902

**CASE #ZC-06-010:** Public hearing on the request of U. P. Connection Federal Credit Union to rezone Lot 13, Block 25, Ferry Addition from R-2/Two Family Residential to C-2 Commercial. Location: Along the north side of 3<sup>rd</sup> Avenue, west of the U. P. Connection Federal Credit Union facility at 204 South 35<sup>th</sup> Street.

Recommendation: Staff: Approval, with conditions  
CPC: Approval, with conditions  
Action: City Council: Approved, September 25, 2006



**CASE #ZC-06-011:** Public hearing on the request of the Community Development Department to rezone Blocks 6 and 7 and the North ½ of Block 8, Beer's Addition from I-1/Light Industrial to A-2/Parks, Estates, and Agricultural. Location: The north half of the block abutting Avenue 'A' from North 11<sup>th</sup> to North 12<sup>th</sup> Street and all of the property from North 12<sup>th</sup> to North 13<sup>th</sup> Street between Broadway and Avenue 'B'.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, October 09, 2006, Ordinance No. 5899

**CASE #ZC-06-012:** Public hearing on the request of Judith Bilello to rezone her property at 1633 Avenue 'D' (the north 60' of Lot 8, Block 34, Mullin's Subdivision) from C-2 Commercial to R-3/Low Density Multi-Family Residential. The Community Development Department expanded the request to include rezoning Lots 4 through 6, the north 60' of Lot 7 and the south 70' of Lots 7 and 8, Block 34, Mullin's Subdivision and Lots 3 through 5, Block 4, Beer's Subdivision from C-2 to R-3. Location: East of North 17<sup>th</sup> Street for approximately one half block between Avenue 'C' and Avenue 'D'.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, October 09, 2006, Ordinance No. 5901

**CASE #ZC-06-013:** Public hearing of the request of Mark Weber to rezone a 2 acre portion of Lot 5, Mid-American Commerce Park from I-2/General Industrial to PC/Planned Commercial. Location: Southwest corner of South 32<sup>nd</sup> Street and 21<sup>st</sup> Avenue.

Recommendation:	Staff:	Approval, with conditions
	CPC:	Approval, with conditions
Action:	City Council:	Approved, October 09, 2006, Ordinance No. 5900

**CASE #ZC-06-014:** Public hearing on the petition of property owners along Park and Glen Avenues and to rezone the property as described below as expanded by the Community Development Department to:

1. Rezone from A-P/Administrative-Professional to R-1/Single Family Residential District: Lot 1, Purple's Subdivision and Lot 1 and Lot 2, except the Southwest 8', Original Plat Lot 168.

2. Rezone from R-3/Low Density Multi-Family Residential District to R-1/Single Family Residential District:

Lots 1-5, Beardsley Subdivision; Original Plat Lots 143, 148, 150 and 152; Original Plat Lot 165; Lots 2-8, part of Lot 9, East 163' Lots 10-11, East 120' Lots 12-13 and the East 200' Lot 14, Purple's Subdivision; Original Plat Lots 150, 155, 163 and 165½; all of Auditor's Subdivision Lot 23, Purple's Subdivision and Original Plat Lot 159; Lots 1-2, Auditor's Subdivision of Lots 18 and 19, Purple's Subdivision; all of Original Plat Lots 156, 157 and 157½; all of Bebbington Place; Auditor's Subdivision of Lots 1, 2 and the N½ Lot 3, Block 3, Glendale Addition; Lot 1, Block 1 and Lots 1 and 24, Block 2, Glendale Addition.

3. Rezone from R-2/Two Family Residential District to R-1/Single Family Residential District: East 200' Lot 15 and all of Lots 16 and 17, Purple's Subdivision; Lots 2-5, Block 1 and Lots 2-23, Block 2, Glendale Addition; Auditor's Subdivision of Lots 6-9, Block 1, Glendale Addition; Lots 1-8, Subdivision of High School Property; Lot 1, Auditor's Subdivision of Lot 1, Block 4, Glendale Addition and part of Original Plat Lot 95; Lots 1-4, Judd's Park; Lots 1-9 and Lot 10 except the West 50', Glendale

Extension; Lots 1-12, Block 5, Glendale Addition; West 106' of Lot 9, West 120' of Lot 10, West 120' of Lot 11, West 110' of Lot 12, Lots 13-16, Block 4, Glendale Extension and Lots 1-6, Well's Park; East 100' Lots 12-13 and all of Lot 14, Glendale Extension; Westerly 153.35' of the North 201' of Original Plat Lot 167. Location: Along both sides of Glen and Park Avenues, extending from Pierce Street to south of 5<sup>th</sup> Avenue.

Recommendation:	Staff:	Approval, with modifications
	CPC:	Approval, with modifications
Action:	City Council:	Not approved, February 26, 2007

**CASE #ZC-06-015:** Public hearing on the request of the Community Development Department to rezone Lots 317 through 327, Belmont Addition from C-2/Commercial to R-3/Low Density Multi-family Residential District. Location: Between Avenue 'I' and Avenue 'J', west of North 15<sup>th</sup> Street.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, November 13, 2006, Ordinance No. 5903

**CASE #ZC-06-016:** Public hearing on the request of Aaron and Mandy Keiner to rezone Lot 26, Seldin's 3<sup>rd</sup> Addition from PC/Planned Commercial to R-1/Single Family Residential District. Location: 1207 Sunnywood.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, November 13, 2006, Ordinance No. 5904

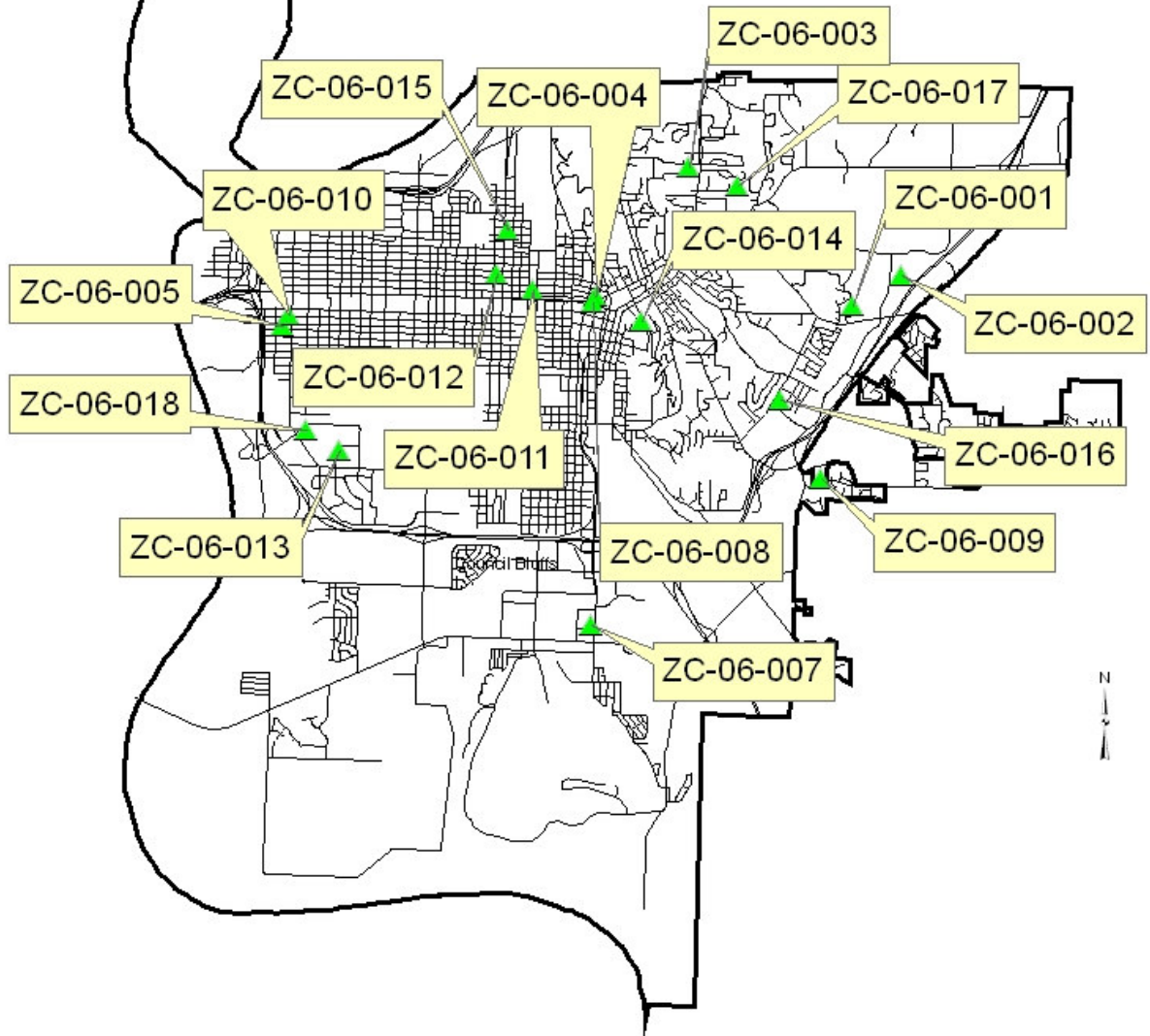
**CASE #ZC-06-017:** Public hearing on the request of Colonial Hills, Inc. to rezone Lot 16, Euclid Heights Subdivision from R-1/Single Family Residential to R-3/Low Density Multi-family Residential with a PR/Planned Residential Overlay. Location: West of Simms Avenue at Dillman Drive.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Denied, January 8, 2007

**CASE #ZC-06-018:** Public hearing on the request of Milo P. and Charles J. Vacanti to rezone a 3.56 acre parcel located in Section 3-74-44 and Section 4-74-44 from I-2/General Industrial to PC/Planned Commercial. Location: Southeast side of Nebraska Avenue, northeast of South 35<sup>th</sup> Street and north of Union Pacific Railroad right-of-way.

Recommendation:	Staff:	Optional recommendations
	CPC:	Approval to Planned Commercial
Action:	City Council:	Approved February 12, 2007, Ordinance No. 5911

## Rezoning Case Review



## STREET, ALLEY AND PUBLIC RIGHT-OF-WAY VACATIONS - 2006

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**CASE #SAV-06-001:** Public hearing on the request of Broadway United Methodist Church to vacate that portion of Stutsman Street right-of-way lying between Block 1 and Block 2, Stutsman's First Addition. Location: Stutsman Street between Broadway and Pierce Street.

Recommendation: Staff: Denied  
CPC: Approval  
Action: City Council: Approved, April 10, 2006, Resolution No. 06-98

**CASE #SAV-06-002:** Public hearing on the request of the Community Development Department to vacate a portion of South 41<sup>st</sup> Street right-of-way extending southeasterly approximately 199' from the 2<sup>nd</sup> Avenue exit ramp/South 37<sup>th</sup> Street Extension. Location: Former entrance to the Frito Lay facility and the Dodge Park Club House.

Recommendation: Staff: Approval, subject to conditions  
CPC: Approval subject to conditions  
Action: City Council: Approved, May 8, 2006, Resolution No. 06-124

**CASE #SAV-06-003:** Public hearing on the request of Robert and Betty Cade to vacate both north/south alleys in Block 5, Burn's Addition and Block 1, Railroad Addition. Location: From 22<sup>nd</sup> Avenue to 23<sup>rd</sup> Avenue, between South 11<sup>th</sup> and South 12<sup>th</sup> Streets.

Recommendation: Staff: Approval, with conditions  
CPC: Approval, with conditions  
Action: City Council: Approved, June 12, 2006, Resolution No. 06-149

**CASE #SAV-06-004:** Public hearing on the request of Pottawattamie County Development Corporation (PCDC) to vacate the remainder of the east/west alley abutting Lots 9 through 13, Block 38, Central Addition, Lots 15 through 18, Block 1, Wright's Addition and Lot 1, Auditor's Subdivision of Lots 19 through 23, Block 1, Wright's Addition. Location: Extending east from South 25<sup>th</sup> Street for approximately 210 feet, lying between West Broadway and First Avenue.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approve, June 12, 2006, Resolution No. 06-150

**CASE #SAV-06-005:** Public hearing on the request of the Community Development Department to vacate the following:

1. The west 8 feet of South 13<sup>th</sup> Avenue/railroad right-of-way and 14<sup>th</sup> Avenue, abutting Block 46, Riddles Subdivision.
2. 15<sup>th</sup> Avenue right-of-way between South 13<sup>th</sup> Street and South 14<sup>th</sup> Street/Indian Creek, abutting Blocks 65 and 66, Riddles Subdivision.
3. The west north/south alley in Block 66, Riddles Subdivision lying between 15<sup>th</sup> and 16<sup>th</sup> Avenues, east of South 14<sup>th</sup> Street/Indian Creek.

Location: Between 13<sup>th</sup> Avenue and 16<sup>th</sup> Avenue from South 13<sup>th</sup> to South 14<sup>th</sup> Street/Indian Creek

Recommendation: Staff: Approval

CPC: Approval  
Action: City Council: Approved, October 9, 2006, Resolution No.06-180 & 06-275

**CASE #SAV-06-006:** Public hearing on the request of Linda Knauss to vacate the north/south alley abutting Lots 5 and 6, Block 1, Hughes and Doniphan's Addition. Location: Between South 7<sup>th</sup> and South 8<sup>th</sup> Streets and extending north from 17<sup>th</sup> Avenue for approximately 93 feet.

Recommendation: Staff: Approval, with conditions  
CPC: Approval, with conditions  
Action: City Council: Approved, July 10, 2006, Resolution No. 06-181

**CASE #SAV-06-007:** Public hearing on the request of the Council Bluffs Public Works Department to vacate the east/west alley abutting Lots 7 through 20, Block 2, Sunnyside Addition. Location: Between Fleming and McGee Avenues, west of Harrison St.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, November 13, 2006, Resolution No. 06-289

**CASE #SAV-06-008:** Combined public hearing on the request of JoTerRan Investments, LLC to vacate the east/west alley in Block 7, Fleming and Davis Addition and the east/east alley in Block 8, Fleming and Davis Addition and Block B, Riddles Subdivision. Location: Between 9<sup>th</sup> and 10<sup>th</sup> Avenue from South 14<sup>th</sup> Street/Indian Creek to South 16<sup>th</sup> Street.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, December 11, 2004, Resolution No. 06-336

**CASE #SAV-06-009:** Combined public hearing on the request of JoTerRan Investments, LLC to vacate the east/west alley in Block 7, Fleming and Davis Addition and the east/east alley in Block 8, Fleming and Davis Addition and Block B, Riddles Subdivision. Location: Between 9<sup>th</sup> and 10<sup>th</sup> Avenue from South 14<sup>th</sup> Street/Indian Creek to South 16<sup>th</sup> Street.

Recommendation: Staff: Approval  
CPC: Approval  
Action: City Council: Approved, January 22, 2007, Resolution No. 06-337 & 07-52

**CASE #SAV-06-010:** Public hearing on the request of RCW Enterprises, Inc. to vacate 1.039 acres of Railroad Highway right-of-way to incorporate the land into the proposed Heritage Hills Subdivision. Location: North side of Kanesville Boulevard (Highway 6), west of Railroad Highway (fka Highway 191).

Recommendation: Staff: Approval, subject to conditions  
CPC: Approval, subject to conditions  
Action: City Council: Approved, subject to conditions, December 11, 2006  
Reso. No. 06-339

**CASE #SAV-06-011:** Public hearing on the request of Kansas City Life Insurance Company to vacate that portion of South 15<sup>th</sup> Street right-of-way abutting Lots 12 through 18, Second Foundation Subdivision,

Phase III, and Lot 10, except the north 125' and Lot 11 to the easterly extension of Lot 10, except the north 125', Second Foundation Subdivision, Phase II. Location: South 15<sup>th</sup> Street extending north from the north right-of-way line of Highway 275 for approximately 1382'.

Recommendation:	Staff:	Approval, subject to conditions
	CPC:	Approval, subject to conditions
Action:	City Council	Approved, subject to conditions, December 11, 2006, Reso. No. 06-338

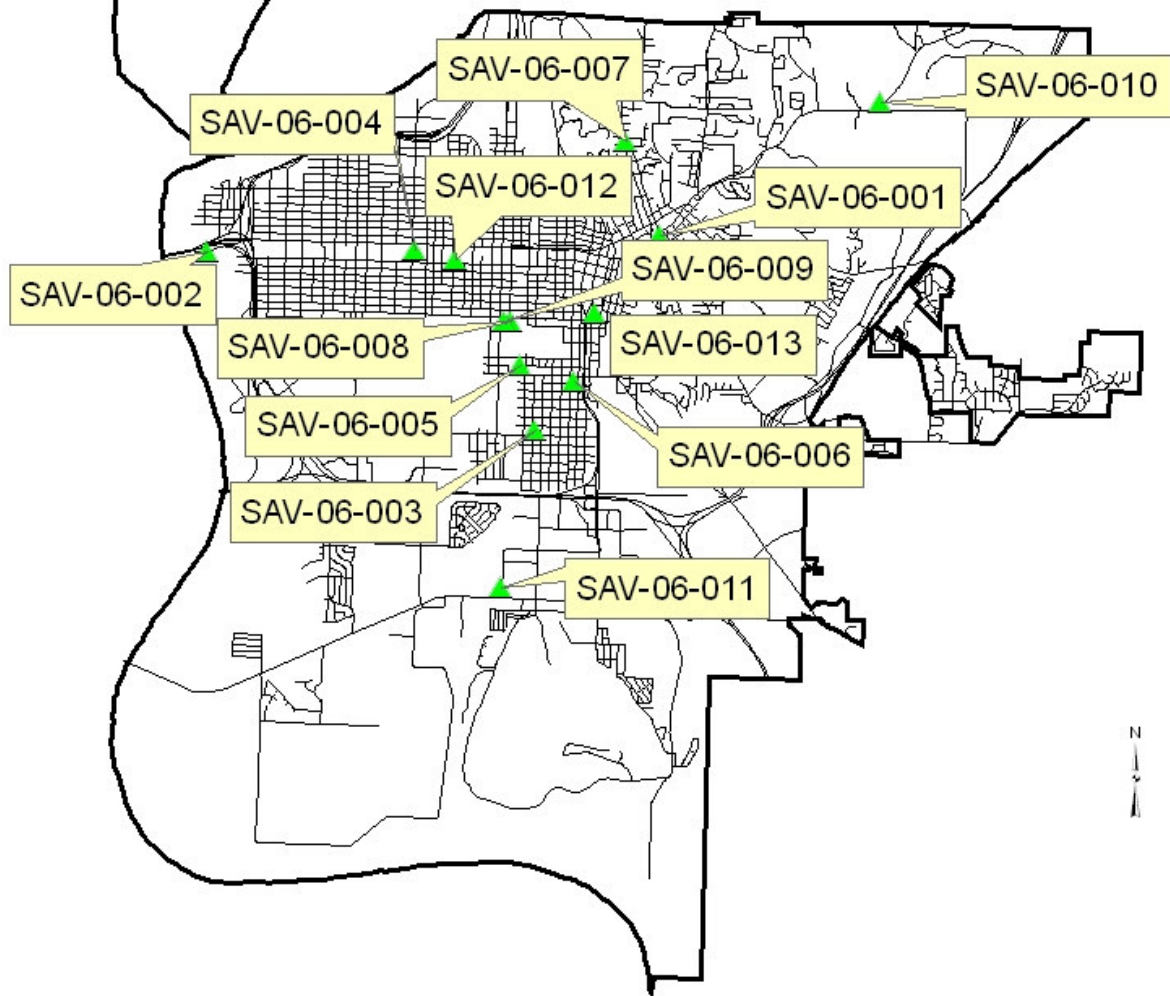
**CASE #SAV-06-012:** Public hearing on the request of SHS Properties, LLC to vacate the north/south alley abutting Lots 1 through 6, Block 8, Cochran's Addition and Lots 11 and 12, Block 2, Sampson's Addition. Location: From 1<sup>st</sup> Avenue to 2<sup>nd</sup> Avenue, east of South 21<sup>st</sup> Street.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council	Approved, January 22, 2007, Resolution No. 07-37

**CASE #SAV-06-013:** Public hearing on the request of the Community Development Department to vacate the south 10' of 8<sup>th</sup> Avenue abutting Block 14, Hyatt's Subdivision. Location: 8<sup>th</sup> Avenue between South Main and South 6<sup>th</sup> Streets.

Recommendation:	Staff:	Approval, with conditions
	CPC:	Approval, with conditions
Action:	City Council	Approved, January 22, 2007, Resolution No. 07-36

## Right-of-Way Vacation Review



## MISCELLANEOUS REQUESTS - 2006

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**CASE #AN-06-001:** Public hearing on the request of John J. Loftus, Jr. and Diane K. Loftus for voluntary annexation of a 4.022 acres in a portion of Lot 11, Auditor's Subdivision of the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 5-74-43. Location: West of Ridge View Estates Subdivision, between Longview Loop and Greenview.

Recommendation:                      Staff:                      Approval  
   CPC:                      Approval  
   City Council:      Approved, August 14, 2006, Resolution No. 06-204

**CASE #AN-06-002:** Public hearing on the request of Dial Land Purchasing LLC for voluntary annexation of approximately 181 acres described as follows:

Lot 3, Auditor's Subdivision of the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33-75-43, and Lot 2, Auditor's Subdivision of the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33-75-43 and the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 5-74-43, the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 5-74-43, except the West 3 chains of the South 133.33 chains, the W $\frac{1}{2}$  NW $\frac{1}{4}$  of Section 4-74-43, lying west of the public road, and Lot 1, Auditor's Subdivision of the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32-75-43 all subject to the right-of-way of the public road, and except a tract of land legally described as:

A part of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4-74-43 and a part of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 5-74-43, more particularly described as follows: Commencing at the Southeast corner of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 4, that being the Point of Beginning; thence west along the South line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 4 and the south line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 5, a total distance of 1633.5 feet; thence North 00°01'30" West a distance of 800.00 feet; thence east and parallel to the South line of the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 5 and the South line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 4, a distance of 1633.5 feet to a point on the East line of the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 4; thence South 00°01'30" East a distance of 800.00 feet to the Point of Beginning, all in Pottawattamie County, Iowa.

The Community Development Department enlarged the area to consider voluntary annexation of an additional 44 acres described as follows:

Lots 1 and 2 lying east of the railroad in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Lot 2 lying east of the railroad in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Lot 2 lying east of the railroad in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  all in Section 32-75-43, and Lot 1 in the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 33-75-43, all in Garner Township, Pottawattamie County, Iowa.

Location: West of Franklin Avenue and north of Greenview.

Recommendation:                      Staff:                      Approval  
   CPC:                      Approval  
Action:                                      City Council:      Approved, September 25, 2006, Resolution No. 06-237

**CASE #URN-06-001:** Public hearing on the request of the City of Council Bluffs to amend the 'North 16<sup>th</sup> Street and Avenue 'G' Urban Renewal Area' and adopt the amended plan to add Lots 314 through 331, Belmont Addition and abutting streets and rights-of-way. Location: From North 15<sup>th</sup> Street to North 16<sup>th</sup> Street between Avenue 'G' and Avenue 'J'.

Recommendation:                      Staff:                      Approval  
   CPC:                      Approval  
Action:                                      City Council:      Approved, January 23, 2006, Resolution No. 06-32



**CASE #URN-06-002:** Public hearing on the request of the City of Council Bluffs to create the Old Airport Urban Renewal Area and adopt the required plan for the land described as:

Beginning at the intersection of the South right-of-way line of Highway 275/92 and the Westerly right-of-way line of Interstate 29; thence westerly along said South right-of-way line to the West right-of-way line of the South Expressway (Highway 192); thence north along said West right-of-way line to the Northerly right-of-way line of 35<sup>th</sup> Avenue; thence easterly, north and east along said Northerly right-of-way line to the West ¼ Corner of Section 7-74-43; thence continuing east along the North line of the SW¼ of said Section 7-74-43 to the Westerly right-of-way line of Interstate 29; thence southeasterly along said Westerly line to the south right-of-way line of Highway 275/92 and the Point of Beginning.

Location: Between I-29 and the South Expressway, from 35<sup>th</sup> Avenue to Highway 275/92.

Recommendation:	Staff:	Approval, subject to conditions
	CPC:	Approval, subject to conditions
Action:	City Council:	Approved, subject to conditions, February 27, 2006 Reso. No. 06-57

**CASE #URN-06-003:** Public hearing on the request of the City of Council Bluffs for Amendment No. 2 to the Amended North 16<sup>th</sup> Street and Avenue 'G' Urban Renewal Plan and Area by adding the additional land as follows: Blocks C, D and E, Cobb's 2<sup>nd</sup> Addition, Blocks 9, 10 and 15, Potter and Cobb's Addition, Lots 1 through 7, Block 4, Mullin's Subdivision, City of Council Bluffs, Pottawattamie County, Iowa together with all abutting streets and rights-of-way. Location: Adding three blocks from Avenue 'G' to Avenue 'J' between North 14<sup>th</sup> Street and North 15<sup>th</sup> Street to include the entire six block area from Avenue 'G' to Avenue 'J' from North 14<sup>th</sup> Street to North 16<sup>th</sup> Street.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, July 24, 2006, Resolution No. 06-191

**CASE #URN-06-004:** Public hearing on the request of the City of Council Bluffs to amend the Mid-America Center Urban Renewal Plan and Area (f/k/a MARCC Urban Renewal Plan and Area) by adding approximately 69.5 acres of land to the amended urban renewal plan and area, which is generally located along I-29 and Nebraska Avenue to South 35<sup>th</sup> Street then south to an area south of 23<sup>rd</sup> Avenue from the east line of Doll Distributing to the east line of Horseshoe Casino Council Bluffs. This amendment shall be known as Amendment No. 2.

Recommendation:	Staff:	Approval
	CPC:	Approval
Action:	City Council:	Approved, October 23, 2006, Resolution No. 06-276

**CASE #AP-06-001:** Public hearing on the request of Porter Homes, Inc. to appeal the decision of the Community Development Department to deny an administrative parcel split of Lot 1, Slightam Subdivision. Location: 2849 Birdsley Road.

Recommendation:	Staff:	Denied
	CPC:	Denied

**CASE #MIS-06-001:** Public hearing on the request of the City of Council Bluffs to approve the Capital Improvement Program – FY 2007-08 through FY 2011-12.

Recommendation:                      Staff:                      Approval

CPC:                                      Approval

Action:                                      City Council:    Approved, October 23, 2006, Resolution No. 06-285

## Miscellaneous Review

